S.B. Civil Writ Petition No. 903/2005.

Date: 14.2.2005.

Hon'ble Mr. R.P. Vyas, J.

Mr. B.P. Mathur for the petitioner.

The instant petition has been filed on the ground that the Selection Grade was not given to the petitioner. He is regularly making efforts to get the regular Selection Grade, but the same has been denied by virtue of the impugned order Annex. 6.

It is submitted by the learned counsel for the petitioner that after passing this very impugned order, the petitioner preferred Appeal No.33/2004 before the Rajasthan Service Appellate Tribunal, Jodhpur in the month of February 2004, but the same is pending decision and no steps have been taken by the Tribunal for deciding the matter.

During the course of arguments, a number of lawyers made a complaint that the Tribunal is not regularly sitting at circuit Bench, Jodhpur and there is no permanent sitting of the Tribunal at Jodhpur Bench. Thousands of petitions are

pending for admissions and decisions and litigations are suffering a lot and could not redress his grievances.

The petitioner being aggrieved by the in-action on the part of the respondents, filed an appeal before the Tribunal while challenging the impugned order regarding Selection Grade,.

In these circumstances, looking to the complaints made by a series of lawyers, I am of the view that once the statutory remedy is available to the litigants by law, the authorities are not discharging their duties and deciding the matter pending before them, is a serious concern and it is direct hinderance in the administration of justice.

I request the Chairman, Rajasthan Service Appellate Tribunal, at Jaipur to consider this problem so that the regular sitting of the Tribunal is held and the matters pending decisions before the Tribunal are decided regularly and the justice may be imparted to the litigants as early as possible. The Chairman is also requested to

take appropriate steps for resolving the matters, pending decisions before the Circuit Bench, at Jodhpur. In view of the above observations, I hope and trust that the Chairman will take this matter seriously for regular sitting of Circuit Bench at Jodhpur, and resolve the problems of the litigants, as early as possible.

I have perused the contents of the present writ petition and in the facts and circumstances of the case and in the interest of justice, the Tribunal is directed to decide the appeal of the petitioner being Appeal No.33/2004 (Gulab Singh Vs. State), after affording an opportunity of hearing, within a period of three months from the date of receipt of a certified copy of this order.

With the aforesaid observations and directions, the writ petition stands disposed of. A copy of the order be sent to the Chairman, Rajasthan Civil Service Appellate Tribunal, at Jaipur, for necessary action.

(R.P.VYAS)J.

Anil